

Prepared by and return to:

TVA Tract No. FRMMC-20-CR

Reba H. Sime

Reba H. Sime, Attorney
 Tennessee Valley Authority
 1101 Market Street, Edney Building 4A
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STATE MS. - DESOTO CO.

FILED

APR 16 9 03 AM '98

BK 331 PG 600
W.E. DAVIS CH. CLK.**GRANT OF EASEMENT**

FOR AND IN CONSIDERATION of the sum of THREE THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$3,700.00), cash in hand paid, receipt whereof is hereby acknowledged, we, the undersigned,

C. W. McELROY and wife, EVA LOUELLA McELROY,

have this day bargained and sold and by these presents do hereby grant, bargain, sell, transfer, and convey unto the UNITED STATES OF AMERICA a permanent easement for the following purposes, namely:

The perpetual right to enter at any time and from time to time the west portion of the land of C. W. McElroy et ux and trim, top, cut, clear and remove, destroy or otherwise dispose of as necessary any trees, which in falling could come within five feet of any transmission line structure or conductor on the Freeport - Miller, Tap to Mitchell's Corner Transmission Line, as shown on sheet 11A of US-TVA drawing LW-8034, Revision 2, the said land affected by the clearing rights beginning at the southwest property corner of the land of C. W. McElroy et ux, said corner being S. 28° 13' 44" E., 58.12 feet from survey station 49 + 28.53, thence leaving said point and extending northerly along the west property line of the land of C. W. McElroy et ux and along the east property line of the land of Carolyn K. McCaughan to a point, said point being a point of divergence between the west property line of the land of C. W. McElroy et ux and the east right-of-way line of the transmission line location, said point being S. 85° 32' 58" E., 37.82 feet from survey station 54 + 76.35, all lying in the northeast 1/4 of the northwest 1/4 of Section 15, Township 2 South, Range 6 West of DeSoto County, State of Mississippi.

Furthermore, said permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structures located at survey stations 49 + 28.53 and 54 + 76.35.

The previous and last conveyances of this property are deeds of record in Deed Book 35, page 371, Deed Book 54, page 453, and Deed Book 126, page 660, all in the office of the Chancery Court Clerk of DeSoto County, Mississippi.

TO HAVE AND TO HOLD the said easement to the UNITED STATES OF AMERICA and its assigns forever.

We covenant with the said UNITED STATES OF AMERICA that we are lawfully seized and possessed of the land above referred to and that the same is free of all encumbrances, that we have a good and lawful right to convey the easement rights above described, and that we will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

We further covenant and agree that the payment of the purchase price above stated is accepted by us as full compensation for all damage incidental to the exercise of any of the rights above described resulting from the granting of this easement; EXCEPT that the UNITED STATES OF AMERICA shall remain liable for any damage to growing crops and any direct physical damage caused to the property of the undersigned by its construction forces or by the construction forces of its agents and employees, in the exercise of said easement rights.

Wherever the context hereof requires, the plural number as used herein shall be read as singular.

IN WITNESS WHEREOF, we have hereunto subscribed our names this 10th day of March, 19 98.

Charles E. Shirey
SUBSCRIBING WITNESS

C. W. McElroy
C. W. McELROY

Eva Louella McElroy
EVA LOUELLA McELROY

STATE OF MISSISSIPPI)
COUNTY OF DESOTO) SS

Personally appeared before me W. E. Davis, the Chancery Court Clerk in and for said county and state, Charles E. Shirey the subscribing witness to the foregoing instrument, who, being first duly sworn, depose and saith that he saw the above named C. W. McELROY and wife, EVA LOUELLA McELROY whose names are subscribed thereto, sign and delivered the same to the UNITED STATES OF AMERICA; and that he, this affiant, subscribed his name as a witness thereto in the presence of the said C. W. McELROY and EVA LOUELLA McELROY.

WITNESS my hand and official seal of office in the state and county aforesaid, this the 16th day of April, 19 98.

W. E. Davis
Chancery Court Clerk
by M. Calvin, D.C.
MY COMMISSION EXPIRES
JAN. 3, 2000

The name and address of the owner of the aforescribed easement is:

EASEMENT OWNER: United States of America
Tennessee Valley Authority
EB 4A
1101 Market Street
Chattanooga, Tennessee 37402-2801
Telephone: 423-751-3542

[Tax Exempt - Miss. Code
§27-37-301]

The name and address of the legal owner is:

OWNER: C. W. McElroy, et ux.
9721 College Road
Olive Branch, Mississippi 38654
(601) 895-5107

(See D.B. 35, page 371,
D.B. 54, page 453,
D.B. 126, page 660)

INDEXING INFORMATION: NE ¼ of NW ¼ of SEC. 15, T2S, R6W